

U.S. App No.: 10/510,355
Filed on April 28, 2005

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REMARKS

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The Examiner states that Claims 44-86 are pending in this application. Claims 1-43 were previously cancelled. Claims 44-86 are currently pending. On page 2 of the Office Action, the Examiner is requesting that the applicant elects a single invention to which the claims must be restricted under 35 U.S.C. 121 and 372, among:

Group I, claims 44-53, drawn to an agent for inhibiting at least one of release, maturation and replication of a member of the Flaviviridae family.

Group II, claims 54-84, drawn to a method of inhibiting at least one of the entry/internalization process, the replication and maturation of Flaviviridae.

Group III, claims 85-86, drawn to a method of producing agents for inhibiting the release, maturation and replication of Flaviviridae.

In an attempt to advance the prosecution of the subject application, but without conceding the correctness of the Examiner's position, Applicants have elected the claims in Group I with traverse, which include claims 44-53. Should the product claims in Group I be allowed, the Applicants respectfully submits that the process claims in Group II should be rejoined and be allowable in accordance with MPEP § 821.04.

The Examiner further requests the election of species within the Group I claims for the purpose of prosecution. In an attempt to advance the prosecution of the subject application, Applicants have elected the following species:

Claims 44: Flavivirus;

Claims 45: Flavivirus-induced fever;

Claims 46: Inhibits the activities of the ubiquitin/proteasome pathway;

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Claims 47: Blocks;

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Claims 48: Inhibits the cellular ubiquitin system;

Claims 51: part b), the boric acid derivates of modified peptide aldehydes;

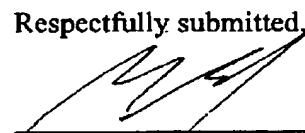
Claims 52: epoxomicin;

Claims 53: PS0341.

CONCLUSION

Applicant respectfully submits that this application is in condition for allowance. Early and favorable action is earnestly solicited. No fee, except for the \$2,160 fee in connection with the five month extension fee, is believed due in connection with the filing of this Response. However, if any additional fee is due the amount of such fee may be charged to Deposit Account No. 19-4709. In the event that there are any questions, or should additional information be required, please contact applicants' attorney at the number listed below.

Respectfully submitted,


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